

EXHIBIT

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF LEILETH FOSTER

I, Leileth Foster, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as Exhibit A to this Declaration is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present in New York City when the terrorist attacks of the World Trade Center Towers occurred. At the time of these horrific attacks, I was employed by the Marriott Hotel at 3 World Trade Center as a security guard. My primary responsibility was to patrol the lobby area of the Marriott Hotel.

4. When the first passenger jet plunged into the North Tower of the World Trade Center, I had been standing in the lobby area of the Marriott Hotel performing my duties as a security guard. Law enforcement officers quickly approached me and asked me to open the building exit from the Tall Ship bar area, which was located off of the lobby of the hotel. I quickly went and opened this exit door and then I assisted with evacuating people out of the hotel through this exit as management was extremely concerned that the building might collapse.

5. However, when I opened the door to the exit area, people began to panic while moving towards the building exit, and in the hysteria and confusion, I was trampled by the surge of people. While being trampled, I suffered injuries to my back, my lower legs, and my ankles. Someone then picked me up off of the floor area near the exit after I had been trampled. This same person then helped me in exiting the hotel to the street area. To this day, I do not know the identity of this kind person who helped me to my feet and out of the exit of the hotel.

6. The scene on the street near the World Trade Center Towers was horrifying. The situation could only be compared to a war zone. I was going about my everyday life in a peaceful manner when we were brutally attacked by terrorists and my life was altered forever. I kept the security uniform that I was wearing on 9/11, which is still hanging in my closet. It is covered in dust and debris from the collapse of the buildings at Ground Zero. I will forever be haunted by the images I witnessed on that horrible day.

7. As a result of these terrorist attacks, I suffered the following specific injuries on September 11, 2001: a soft tissue back injury; bilateral knee injuries, including torn meniscus; and bilateral ankle injuries, including torn ligaments in both ankles. In 2002, my doctors performed surgeries on my injured left ankle and then my right ankle. Further, in 2003, my doctors performed surgeries on my left knee and then my right knee to repair my damaged meniscus.

8. I further suffered, and continue to suffer, severe emotional distress as a result of these terrorist attacks. I suffered and continue to suffer from anxiety and bouts of depression due to these traumatic events almost daily, triggered by certain smells, sounds and views. I have been diagnosed with a major depressive disorder with recurrence, post-traumatic stress disorder, an anxiety disorder, and a panic disorder. The horrific events that I witnessed on 9/11 directly caused all of the above conditions, which continue to this day.

9. I sought and continue to seek medical attention on a monthly basis for my injuries caused by these terrorist attacks. Attached as Exhibit B to this Declaration is a true and correct copy of my select relevant medical records related to the treatment that I received for my physical and emotional injuries following the September 11, 2001 terrorist attacks.

10. I previously pursued a claim through the September 11th Victim Compensation Fund (VCF Claim Number 212-004898) specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 26th day of December, 2020.



Leileth Foster

Declarant, Leileth Foster

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**